

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
MARSHALL DIVISION**

XR COMMUNICATIONS, LLC, dba	§	
VIVATO TECHNOLOGIES,	§	
	§	
<i>Plaintiff,</i>	§	Case No. 2:23-cv-00202-JRG-RSP
	§	
v.	§	Jury Trial Demanded
	§	
AT&T INC., AT&T SERVICES INC., AT&T	§	
MOBILITY LLC, AND AT&T CORP.	§	
	§	
<i>Defendants.</i>	§	
	§	

STIPULATION OF DISMISSAL WITHOUT PREJUDICE AS TO AT&T INC.

Pursuant to Federal Pursuant to Federal Rule of Civil Procedure 41(a)(1), Plaintiff XR Communications, LLC dba Vivato Technologies, LLC (“Vivato”) and Defendants AT&T Inc., AT&T Corp., AT&T Mobility LLC, and AT&T Services, Inc. submit the following Stipulation of Dismissal Without Prejudice as to Defendant AT&T Inc. All other Defendants, including AT&T Corp., AT&T Mobility LLC, and AT&T Services, Inc. (collectively, “AT&T”), remain pending in this case. Accordingly, Vivato, AT&T Inc., and AT&T, by and through undersigned counsel, hereby file this stipulation of dismissal without prejudice as to AT&T Inc., which stipulation is self- executing and therefore serves to dismiss AT&T Inc. from this action, without prejudice and without costs.

DATED: July 14, 2023

DATED: July 14, 2023

Russ August & Kabat

BY: /s/ Reza Mirzaie

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***Attorneys for Defendants AT&T Inc., AT&T
Services, Inc., AT&T Mobility LLC, and AT&T
Corp.***

CERTIFICATE OF SERVICE

I hereby certify that on this 14th day of July, 2023, I electronically filed the foregoing with the Clerk of Court using the CM/ECF system, which will automatically send notification of such filing upon Counsel of Record.

/s/ Deron R. Dacus
Deron R. Dacus

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<i>Plaintiff,</i>	§	Case No. 2:23-cv-00202
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AT&T INC., AT&T SERVICES INC., AT&T	§	
MOBILITY LLC, AND AT&T CORP.	§	
	§	
<i>Defendants.</i>	§	
	§	

ORDER OF DISMISSAL WITHOUT PREJUDICE

Before the Court is the Stipulation of Dismissal Without Prejudice as to Defendant AT&T Inc. (the “Stipulation”) filed by Plaintiff XR Communications, LLC dba Vivato Technologies, LLC (“Plaintiff”) and Defendants AT&T Inc., AT&T Corp., AT&T Mobility LLC, and AT&T Services, Inc. (Dkt. No. [XX].) The parties stipulate that pursuant to FRCP 41(a)(1)(A)(ii), Plaintiff’s claims against AT&T Inc. should be dismissed without prejudice. (*Id.* at 1.)

The Court **ACCEPTS AND ACKNOWLEDGES** the Stipulation. Accordingly, all pending claims in this case between Plaintiff and Defendant AT&T Inc. are **DISMISSED WITHOUT PREJUDICE**. The Clerk of Court shall maintain the above-captioned case as **OPEN** in light of the remaining parties and claims. The Clerk of Court is further **ORDERED** to remove AT&T Inc. from the case caption.